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PATENT

Case Docket No. NOVCEL.017A  
Date: August 2, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Scharp, et al.  
Appl. No. : 10/684,859  
Filed : October 14, 2003  
For : IMPLANTATION OF  
ENCAPSULATED  
BIOLOGICAL MATERIALS  
FOR TREATING DISEASES  
Examiner : Unknown  
Group Art Unit : 1615

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 3, 2004

(Date)

*Che S. Chereskin*

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- ( X ) An Information Disclosure Statement.
- ( X ) A PTO Form 1449 with one (1) reference.
- ( X ) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- ( X ) Return prepaid postcard.

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**INFORMATION DISCLOSURE STATEMENT**

Applicant : Scharp, et al.  
App. No. : 10/684,859  
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For : IMPLANTATION OF ENCAPSULATED  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 1 reference that is also enclosed.

This Information Disclosure Statement is being filed before the mailing date of a final action under 37 C.F.R. § 1.113 and before the mailing date of a Notice of Allowance under § 1.311. A certification under 37 C.F.R. § 1.97(e) is set forth below. Thus, no fee is required as set forth in 37 C.F.R. § 1.97(c).

**CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(1)**

I hereby certify that each item of information contained in this Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 3, 2004

By: Che S. Chereskin

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FORM PTO-1449 <b>INFO</b> INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>AUG 06 2004</i> (USE SEVERAL SHEETS IF NECESSARY)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. NOVCEL.017A	APPLICATION NO. 10/684,859
		APPLICANT Scharp, et al.	
		FILING DATE October 14, 2003	GROUP 1615

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	6,368,612	04/09/02	Lanza, et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	

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080204

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	